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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 18, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS HENRY FULCHER,

Defendants.

2:23-CR-46-MKD-5

INDICTMENT

21 U.S.C. § 846
Conspiracy to Distribute 500
Grams or More of
Methamphetamine and 400
Grams or More of Fentanyl
(Count 1)

18 U.S.C. § 2119(1)
Carjacking
(Count 2)

18 U.S.C. § 1201(a)(1)
Kidnapping
(Count 3)

26 U.S.C. § 5861(d)
Possession of Unregistered
Weapon
(Count 4)

21 U.S.C. § 853; 28 U.S.C.
§ 2461(c), 49 U.S.C. § 80303,
26 U.S.C. § 5872
Forfeiture Allegations

1 The Grand Jury charges:

2 COUNT 1

3 Beginning on a date unknown, but by on or about January 2022, and
4 continuing until on or about April 19, 2023, in the Eastern District of Washington
5 and elsewhere, the Defendants, [REDACTED]

6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 NICHOLAS HENRY FULCHER, [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED] and other individuals,

17 both known and unknown to the Grand Jury, did knowingly and intentionally
18 combine, conspire, confederate and agree together with each other to commit the
19 following offense: distribution of 500 grams or more of a mixture or substance
20 containing methamphetamine, a Schedule II controlled substance, in violation of
21 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii) and distribution of 400 grams or more of a
22 mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-
23 phenylethyl)-4-piperidinyl] propanamide (a/k/a fentanyl), a Schedule II controlled
24 substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi); all in violation of 21
25 U.S.C. § 846.
26
27
28

COUNT 2

On or about May 5, 2022, in the Eastern District of Washington, the Defendants, [REDACTED], NICHOLAS HENRY FULCHER, [REDACTED] took a motor vehicle, to wit: a 2006 Mercedes C Class bearing Washington Liscene Plate BXN5406, that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of A.T., by force, violence, and intimidation, with the intent to cause death and serious bodily injury, in violation of 18 U.S.C. § 2119(1).

COUNT 3

On or about May 23, 2022, in the Eastern District of Washington, the Defendant, [REDACTED] did unlawfully and willfully seize, confine, kidnap, and abduct and hold for information, retribution, or otherwise, J.M., and in committing or in furtherance of the commission of the offense, used a means, facility, and instrumentality of interstate or foreign commerce, in violation of 18 U.S.C. § 1201(a)(1).

COUNT 4

On or about August 18, 2022, in the Eastern District of Washington, the Defendant, [REDACTED] did knowingly receive and possess a firearm, to wit, a Remington SP-10 10 gauge weapon made from a

1 shotgun with serial number RM041919 with a barrel length of 14 inches, not
2 registered to him in the National Firearms Registration and Transfer Record, in
3 violation of 26 U.S.C. §§ 5841, 5861(d), and 5871.
4

5 NOTICE OF CRIMINAL FORFEITURE

6 The allegations contained in this Indictment are hereby realleged and
7 incorporated by reference for the purpose of alleging forfeitures.
8

9 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21
10 U.S.C. § 841, as set forth in this Indictment, Defendants [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED], NICHOLAS HENRY FULCHER, [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]

22 [REDACTED], shall forfeit to the United States of America, any property constituting,
23 or derived from, any proceeds obtained, directly or indirectly, as the result of such
24 offense and any property used or intended to be used, in any manner or part, to
25 commit or to facilitate the commission of the offense.
26
27
28

1 If any forfeitable property, as a result of any act or omission of the
2 Defendant:

- 3
4 a. cannot be located upon the exercise of due diligence;
5 b. has been transferred or sold to, or deposited with, a third party;
6 c. has been placed beyond the jurisdiction of the court;
7 d. has been substantially diminished in value; or
8 e. has been commingled with other property which cannot be divided
without difficulty,

9 the United States of America shall be entitled to forfeiture of substitute property
10 pursuant to 21 U.S.C. § 853(p).

12 Pursuant to 49 U.S.C. § 80303, 26 U.S.C. § 5872, and 28 U.S.C. § 2461(c),
13 upon conviction of an offense in violation of 26 U.S.C. §§ 5841, 5845, 5861(d),
14 and 5871, as set forth in the sole count of this Indictment, the Defendant, [REDACTED]


15 [REDACTED]
16 [REDACTED] shall forfeit to the United States of
17 America, any firearms involved in the commission of the offense.

18
19 DATED this ____ day of April 2023.

20 A TRUE BILL

21
22 _____
23 Foreperson

24 _____
25 Vanessa R. Waldref
United States Attorney

26 
27 _____
28 Caitlin Baunsgard
Assistant United States Attorney